

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 05-6302

JUAN VALDEZ,

Plaintiff - Appellant,

versus

STEPHEN M. DEWALT, Warden,

Defendant - Appellee.

Appeal from the United States District Court for the District of Maryland, at Greenbelt. Deborah K. Chasanow, District Judge. (CA-04-3391-8-DKC)

Submitted: July 25, 2005

Decided: August 10, 2005

Before NIEMEYER, LUTTIG, and TRAXLER, Circuit Judges.

Affirmed by unpublished per curiam opinion.

Juan Valdez, Appellant Pro Se. Thomas Michael DiBiagio, United States Attorney, James A. Frederick, Assistant United States Attorney, Baltimore, Maryland, for Appellee.

Unpublished opinions are not binding precedent in this circuit. See Local Rule 36(c).

PER CURIAM:

Juan Valdez appeals the district court's order granting the Government's motion to dismiss or for summary judgment and dismissing Valdez' petition for writ of habeas corpus, which the court construed as a petition for writ of mandamus under 28 U.S.C. § 1361 (2000). We have reviewed the record and find no reversible error. Accordingly, we affirm for the reasons stated by the district court. See Valdez v. Dewalt, No. CA-04-3391-8-DKC (D. Md. Feb. 10, 2005). We dispense with oral argument because the facts and legal contentions are adequately presented in the materials before the court and argument would not aid the decisional process.

AFFIRMED